

## **Zoning Commission Minutes**

**October 5, 2009**

**4:00 pm**

Chairman Russ Hoff called the meeting of the Stark County Zoning Commission to order. Members present were Leo V. Kuntz, Frank Emch, Duane Grundhauser, Russ Hoff, Jay Elkin, Sue Larsen and Joe Frenzel. Also present were States Attorney Tom Henning, Zoning Director Diane Brines and Auditor Alice Schulz.

Joe Frenzel made a motion to approve the minutes from the August 17, 2009 meeting. Jay Elkin seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a proposed amendment to zoning from Agricultural to Industrial with a special use permit for the beneficiation of coal. The request is being made by GTL Energy Dakota Plant 1, LLC located in the SW4 of the NW4 of Section 20, Township 139 North, Range 98 West.

Chairman Hoff asked if there was anyone to speak for the amendment. Those speaking in favor were Neal Messer, Bob French, Gaylon Baker, Diana Zietz, George Nodland, and Ted Bratten.

Chairman Hoff asked if there was anyone to speak against the amendment. Those speaking against the amendment were Neil Tangen, Frank Hurt, Laura Tangen, Mary Hodell, and Derrick Braaten,

Chairman Hoff closed the public hearing.

State's Attorney, Tom Henning recommended the board discuss how this fits the county master plan and also the conditions suggested by Dakota Resource Council.

Joe Frenzel stated that he feels it would be appropriate to have the conditions that were put on the previous approval stay in place. Russ Hoff said he was part of the group that worked on the road agreement and he feels all of the road conditions were addressed and agreed on. Duane Grundhauser asked if the road agreement has been signed and yes it has. Sue Larsen asked to hear what the conditions are again.

Joe Frenzel made a motion to recommend to the County Commission to approve the zoning change from Agricultural to Industrial with a special use permit to GTL Energy Dakota Plant 1, LLC with the following conditions.

1. To obtain all the required approvals and permits from State agencies responsible.
2. Have the States Attorney review the application and make sure it complies with all county ordinances.
3. The company will hold public information meetings in South Heart.
4. GTLE agree in writing to complete roads as our engineering firm so designed.

And if the commissioners feel they need to change any of the conditions, they could make those changes. Jay Elkin seconded. Roll call vote. Frenzel yes, Larsen yes, Elkin yes, Grundhauser yes, Emch yes, Kuntz yes, Hoff yes, motion carried.

Joe Frenzel moved to adjourn. Duane Grundhauser seconded.